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Charles Russell, Sr.  
President  
Vernon R. James  
General Manager

## San Carlos Apache Telecommunications Utility, Inc.

September 29, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S. W. Room TW-A306  
Washington, D.C. 20554

RE: Certification of Compliance With Section 254(e) In Lieu of State Certification, Pursuant to the Fourteenth Report and Order, Twenty-Second Order on Reconsideration, And Further Notice of Proposed Rulemaking in CC Docket No. 96-45

Dear Ms. Dortch:

Pursuant to the provisions in the above referenced Order and 47 CFR §54.314(b) enclosed are an original and four (4) copies of the executed affidavit for San Carlos Apache Telecommunications Utility, Inc. (SCATUI), Study Area Code 452169. As a tribally-owned carrier not subject to state commission jurisdiction, SCATUI is filing its certification of compliance with Section 254(e) directly with the Federal Communications Commission. For our records, please date stamp one copy and return it in the self-addressed stamped envelope provided. Should you have any questions concerning this filing, please call.

Sincerely,

Vernon R. James  
Chief Executive Officer & General Manager

Enclosures

No. of Copies rec'd  
List ABCDE

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CC: Ms. Irene Flannery, Vice President High Cost and Low Income Division, USAC, 2000 L Street, NW, Suite 200, Washington, D.C. 20036

**AFFIDAVIT OF COMPLIANCE WITH  
SECTION 254(e) TO RECEIVE FEDERAL  
UNIVERSAL FUNDS PURSUANT TO THE  
FOURTEENTH REPORT AND ORDER IN  
CC DOCKET NO. 96-45**

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**FEDERAL COMMUNICATIONS  
COMMISSION (FCC)**

**STATE OF ARIZONA  
COUNTY OF GILA**

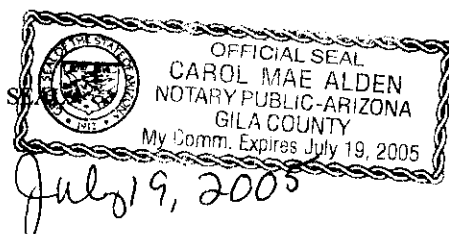
BEFORE ME, the undersigned authority, on this day personally appeared Vernon R. James of San Carlos Apache Telecommunications Utility, Inc., (SCATUI) who on his oath deposed and stated:

1. *My name is Vernon R. James. I am employed by SCATUI in the position of Chief Executive Officer & General Manager. In this position, I am personally familiar with the Federal Universal Service support received by SCATUI and how SCATUI uses these funds.*
2. *SCATUI is an Eligible Telecommunications Carrier (ETC) within the meaning of §214(e) of the Federal Telecommunications Act of 1996 (Act), having been designated by the FCC as an ETC on February 27, 1998.*
3. *The Federal Universal Service support funds received by SCATUI are used only for the provision, maintenance, and upgrading of facilities for which the support is intended, as designated by the FCC consistent with Section 254(e) of the Act*
4. *These funds will be used to provide the following supported services as designated in 47 C.F.R. §54.101 which are available throughout SCATUI's study area:*
  - a) *voice grade access to the public switched network;*
  - b) *local usage;*
  - c) *dual-tone multi-frequency signaling or its functional equivalent;*
  - d) *single party service, or its functional equivalent;*
  - e) *access to emergency services;*
  - f) *access to operator services;*
  - g) *access to inter-exchange service;*
  - h) *access to directory assistance; and,*
  - i) *toll limitation for qualifying low-income customers.*

*The matters addressed above are within my personal knowledge and are true and correct.*

  
Vernon R. James

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this <sup>30<sup>th</sup></sup> day of <sup>September, 2004</sup> September, 2004.



  
Notary Public - State of Arizona